



# FEDERAL BAR ASSOCIATION - MARYLAND CHAPTER NEWSLETTER

SUMMER 2022

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## Message from the President

Almost one year ago, I was entrusted with the responsibility and duty to continue leading our chapter through one of the most uncertain times in our history and our lives. I invite you to look back at the Maryland Chapter of the Federal Bar Association's past year and the incredible work we have done while navigating physical access barriers. I am pleased to report that our nearly 70-year-old chapter now has an even stronger blueprint to sustain it for the coming years.

Coming into my presidency, I set a theme for my year's term "establishing connections and engagement to develop meaningful partnerships." This was not just a catchy phrase to espouse at meetings and events but the core of why I am so proud to lead this organization. The pandemic has made us rethink our priorities and goals. FBA MD is more than our local chapter of the Federal Bar Association. Our legal community nurtures, supports and cultivates a welcoming and inclusive space to receive first rate professional programming, take advantage of resources, network and build strong and meaningful professional relationships and friendships, and have fun advancing the practice of federal law.

One of my two passion projects has been facilitating multi-faceted member engagement. To achieve this, the Strategic Vision Committee participated in virtual whiteboarding sessions to rework the vision and mission statement and explored how to restructure our chapter pipeline to create better channels of communication with our membership and support their interests and needs; the Professional Development Committee created energizing and informative content and sent out surveys to determine how best to structure programs; the Diversity and Inclusion Committee held an open meeting to explore areas of concern and foster a safe space of discussion and planning; the annual Introduction to Federal Practice program provided newer practitioners the opportunity to become more familiar with practicing before the U.S. District Court for the District of Maryland through access to judges and seasoned practitioners who presented on an array of topics and shared resources; and the annual luncheon honoring members of the federal judiciary and individuals whose public service furthers the goals of the Federal Bar Association.

My second passion project was the creation of our chapter website, [www.fbamd.org](http://www.fbamd.org), which the website committee and I fully designed from concept to online implementation, and the growth of our social media platforms. Together, our website and communications team point persons have helped our board develop and push out content, create and manage event registrations, and build capacity throughout the term.

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## Annual Meeting

Judge M. Andre Davis (Ret.) provides keynote remarks at Annual Meeting  
(June 21, 2022)



### ***Message from the President – from page 1***

As we look back over all that we did this term, I am honored that you trusted my vision and allowed me to lead us through the fantastic programs and events we hosted this term:

- Judicial Fireside Chat Series featuring Judge Deborah Boardman, Magistrate Judge Brendan A. Hurson, Magistrate Judge Matthew J. Maddox, and Lydia K. Griggsby (upcoming on June 30th)
- Black History Month – weekly essays and a high school scholarship essay contest
- Annual Introduction to Federal Practice Seminar
- State of the Court featuring Chief Judge James K. Bredar
- Younger Lawyers Meet Up at Guilford Brewery
- Annual FBA MD Luncheon & Awards
- Virtual Summer Speaker Series for Summer Associates & Law Clerks
- Co-sponsored the University of Arizona's Innovations in Healthy Aging Summit
- Annual Chapter Meeting
- Supreme Court Panel (upcoming on July 13th)

This term is a true reflection of our mission and vision: "Vision of the Maryland Chapter of the FBA is to be an essential resource and forum for lawyers practicing before the U.S. District Court for the District of Maryland to hone their skills, participate in important conversations between stakeholders, and become leaders within the legal community." Please join me in celebrating the accomplishments and exemplary work of this past year. Together we have become an even stronger, engaged, and more connected chapter.

My vast institutional chapter knowledge has proven invaluable and prepared me to successfully guide our chapter. Several FBA MD presidents and leaders before me invested their wisdom, time, and guidance in me. I humbly say thank you! It has been my privilege to add my own etching to this historic roadmap. I know that our rich legacy and dedication to the federal bar will serve our chapter well for generations to come. It has been my honor to serve as your 2021- 2022 FBA MD Chapter President.

**Nicholé C. Gatewood, President, Maryland Chapter of the Federal Bar Association**

## Talk the Talk

**By Thomas Barnard, Marissa Dorough, John Butler**

### **Your Guide to Common “Lingo” Heard Around the Courthouse**

*As a lawyer, there is nothing worse than being in the dark — or having to feign understanding — while judges or other lawyers talk about key issues in shorthand (usually the name of the landmark case on that issue). Hopefully, this convenient guide to some of the lingo for legal concepts and factual situations commonly arising in federal criminal or civil matters will be helpful. Let this summary of those phrases, with their associated cases and meaning, serve as your courthouse companion and water cooler cheat sheet.*

#### **“1983” Claim**

- *42 U.S.C. § 1983*
- A **1983 claim** occurs when a plaintiff is subject to conduct that occurred under color of state law, and that conduct deprived the plaintiff of rights, privileges, or immunities guaranteed under federal law, or the U.S. Constitution.

#### **Antagonistic Defense**

- *Zafiro v. United States, 506 U.S. 534 (1993)*
- An **antagonistic defense** occurs when the defense of one co-defendant is accusatory of the other co-defendant. It is within the trial

judge's discretion to decide whether or not the prejudice to the defense is so great that a limiting instruction to the jury cannot cure. If not, severance of trials is necessary.

#### **Alford Plea**

- *North Carolina v. Alford, 400 U.S. 25 (1970)*
- An **Alford plea** occurs when a criminal defendant enters a plea of guilty and in doing so, admits that the Government has sufficient evidence which would likely persuade a judge or jury of guilt, but maintains his or her innocence.

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**Talk the Talk – from page 2**

### Batson Challenge

- *Batson v. Kentucky*, 476 U.S. 79 (1986)
- A **Batson challenge**, which arises during jury selection, is the allegation by one party that an opposing party's use of peremptory challenges to eliminate potential jurors in a criminal case is impermissibly predicated upon the basis of race, ethnicity, or religion.
- The party making the challenge is required to provide specific, factual instances to show that the use of peremptory challenges was unlawful. While difficult to prove, if successful, the remedy is to re-seat the prior stricken jurors or to impanel an entirely new jury pool.
- *Batson* was extended to civil trials in *Edmonson v. Leesville Concrete Co.*, 500 U.S. 614 (1991), and gender became a forbidden reason to strike a juror in *J.E.B. v. Alabama ex rel. T.B.*, 511 U.S. 127 (1994).

### Bivens Claim

- *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971)
- A **Bivens claim (or Bivens action)** refers to a complaint for damages upon a federal officer acting under the color of federal authority, which alleges to have violated the U.S. Constitution. A plaintiff in a Bivens action must prove that a constitutionally protected right has been violated by the federal officer(s).

### Boykin Hearing

- *Boykin v. Alabama*, 395 U.S. 238 (1969)
- When criminal defendants enter into a plea bargain (guilty plea), they waive their Sixth Amendment right to a trial

## VIRTUAL SUMMER SPEAKER SERIES

For Summer Associates & Interns

Please join us for conversations with

### Monday, June 6

Hon. Richard D. Bennett & Hon. Ellen L. Hollander

RSVP: [https://www.fbamd.org/2022\\_summer\\_speaker\\_series\\_june\\_6](https://www.fbamd.org/2022_summer_speaker_series_june_6)

### Tuesday, June 14

General Counsel for the Baltimore City Council Aaron DeGraffenreidt; Public Justice Center Attorney Tyra Robinson; ACLU Staff Attorney Nick Taichi Steiner

RSVP: [https://www.fbamd.org/2022\\_summer\\_speaker\\_series\\_june\\_14](https://www.fbamd.org/2022_summer_speaker_series_june_14)

### Tuesday, July 12

U.S. Attorney Erek Barron & Federal Public Defender Jim Wyda

RSVP: [https://www.fbamd.org/2022\\_summer\\_speaker\\_series\\_july\\_12](https://www.fbamd.org/2022_summer_speaker_series_july_12)

### Tuesday, July 19

Hon. Nancy V. Alquist & Hon. Brendan A. Hurson

RSVP: [https://www.fbamd.org/2022\\_summer\\_speaker\\_series\\_july\\_19](https://www.fbamd.org/2022_summer_speaker_series_july_19)

ALL PANELS BEGIN AT 1 PM

by jury. This waiver can only occur knowingly, voluntarily, and intelligently. In order to find that a defendant has sufficiently waived this Constitutional right, a **Boykin hearing** is held to inquire into the defendant's state of mind during the guilty plea to assure that the waiver is understood.

### Brady Violation

- *Brady v. Maryland*, 373 U.S. 83 (1963)
- Under *Brady*, a prosecutor must disclose before trial all exculpatory evidence or information pertaining to the defendant, including evidence that would enable the defense to

more effectively impeach the credibility of a government witness (see Giglio next page). When this does not occur, it is a Brady violation.

- The remedy is at the discretion of the trial judge. In the past, a **Brady violation** has merited a new trial after conviction.
- In *U.S. v. Bagley*, 473 U.S. 667 (1985), the Supreme Court clarified that the violation must be "material," meaning there must be a reasonable probability that, had the evidence been disclosed to the defendant, the result of the proceeding would have been different.

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## Talk the Talk – from page 3

### Blockburger Test

- *Blockburger v. United States*, 284 U.S. 299 (1932)
- The **Blockburger test** sets the standard to prevent double jeopardy. Each offense charged must have an element the other offenses does not in order for a defendant to be tried for both offenses. A lesser included offense is considered the same offense for purposes of double jeopardy, i.e., a defendant found guilty of both 1st and 2nd degree assault for the same offense, will only be sentenced to the 1st degree assault, and the 2nd degree will merge.

### Bruton Challenge

- *Bruton v. United States*, 391 U.S. 123 (1968)
- *Bruton* bars the introduction of a non-testifying co-defendant's confession that impliedly implicates the defendant, even if the defendant's name was redacted from the confession.
- By raising a **Bruton challenge**, a co-defendant may force (1) a bifurcation of trials of co-defendants and (2) a redaction of any reference, even if trivial, made by the non-testifying co-defendant which could hypothetically lead a jury to infer guilty upon the other defendant(s).

### Carroll Doctrine

- *Carroll v. United States*, 267 U.S. 132 (1925)
- The **Carroll doctrine** refers to the Supreme Court upholding the warrantless search of an automobile as Constitutional given the impracticability to secure a warrant

in light of the vehicle's mobility. The Court explained that so long as law enforcement has probable cause that is specific to the vehicle itself, they can stop and search the vehicle without a warrant.

- This Court clarified this doctrine in *California v. Acevedo*, 550 U.S. 565 (1991), holding that, in a warrantless search of an automobile, police can search any container in the vehicle where they have probable cause to believe that it holds contraband or evidence.

### Checkpoint Exception (to the Fourth Amendment)

- *Michigan Dept. of State Police v. Sitz*, 496 U.S. 444 (1990)
- *Sitz* is a Supreme Court ruling in which the Court found that a surprise DUI sobriety checkpoint, where every driver in the area was forced to stop, did not constitute an unreasonable search and seizure because the State (in that case, Michigan) had a substantial governmental interest to stop drunk driving. The **checkpoint exception** was found to be rationally related to achieving the goal of stopping drunk driving with a negligible impact upon drivers.

### Chevron Deference

- *Chevron U.S.A., Inc. v. Natural Res. Def. Council, Inc.*, 467 U.S. 837 (1984)
- **Chevron deference** is a type of judicial deference afforded to federal administrative agencies pertaining to statutes that an agency is tasked to enforce. While significant deference is provided to the enforcing agency, an agency's interpretation must be grounded in a reasonable construction of the statute.

### Daubert Standard

- *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993)
- In overturning the *Frye-Reed* standard, the Supreme Court set forth the criteria to determine the admissibility of expert witness testimony under FRE 702. The five criteria comprising the **Daubert standard** are: (1) whether the expert's theory or technique in question can be and has been tested; (2) whether it has been subjected to peer review and publication; (3) its known or potential error rate; (4) the existence and maintenance of standards controlling its operation; and (5) whether it has attracted widespread acceptance within a relevant scientific community.

### Wong Sun Exclusion

- *Wong Sun v. United States*, 371 U.S. 471 (1963)
- A **Wong Sun exclusion** arises under the Fruit of the Poisonous Tree Doctrine, where verbal evidence (an out-of-court declaration) obtained at or near the time of an unlawful entry and/or unauthorized arrest is inadmissible as evidence in a court proceeding.
- The *Wong Sun* decision is also well-known for the Court's pronouncement that all evidence is not "fruit of the poisonous tree" simply because it would not have come to light but for illegal police action, but instead depends on whether the evidence "has been come by exploitation of that illegality or instead by means sufficiently distinguishable to be purged of the primary taint."

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## Talk the Talk – from page 4

### Franks Hearing

- *Franks v. Delaware*, 438 U.S. 154 (1978)
- A **Franks hearing** is a criminal proceeding which challenges the truth of information relied upon by law enforcement to obtain a search warrant. This hearing typically occurs after the execution of a search and seizure warrant and, if successful, results in the suppression of evidence obtained by executing the warrant.

### Garrity Warning

- *Garrity v. New Jersey*, 385 U.S. 493 (1967)
- The **Garrity warning** is an advisement of rights to a public sector employee (like police or public school teachers), typically given by federal, state, or local investigators to their own employees who may be the subject of an internal investigation. The **Garrity warning** advises public employees of their criminal and administrative liability for any statements they may make, and therefore advises them of their right to remain silent on matters that tend to implicate them in a crime. Coerced statements cannot be used in a subsequent criminal prosecution, so it ensures that public employees are not forced to sacrifice their rights against self-incrimination in order to retain their jobs.

### Giglio Material

- *Giglio v. United States*, 405 U.S. 150, 153 (U.S. 1972)
- In *Giglio*, the Supreme Court extended the prosecution's obligations under *Brady* to disclose impeachment evidence. Thus, after *Giglio*, all impeachment evidence, even if not a prior statement by a witness, falls within the *Brady* disclosure rule. **Giglio material** (as enforced in conjunction

with *Brady*) includes prior criminal records or other acts of misconduct of government witnesses, as well as promises of leniency or immunity offered to government witnesses.

### Jencks Material

- 18 U.S.C. § 3500 (*The Jencks Act*)
- The Jencks Act requires that a federal prosecutor produce a verbatim statement or report made by a government witness or prospective government witness, but only after the witness has testified and only to the extent the witness' statements related to his or her trial testimony. Typically, **Jencks material** is described as inculpatory, favoring the government's prosecution of a criminal defendant, and does not necessarily trigger the *exculpatory* disclosure requirements of *Brady*.

### Kastigar Hearing

- *Kastigar v. United States*, 406 U.S. 441 (1972)
- The Supreme Court ruled in *Kastigar* that a witness can be compelled to testify over an assertion of the Fifth Amendment privilege against self-incrimination where the government has granted immunity from prosecution. By providing "use and derivative use" immunity, the Court found that the government can overcome a claim of Fifth Amendment privilege by granting immunity to a witness in exchange for his or her testimony. A **Kastigar hearing** arises when the government later seeks to prosecute the witness, and often involves a complex and fact-specific analysis, as it is the government's burden to convince the court that no evidence used in its prosecution of the witness was founded upon that witness' compelled testimony.

### Kalkines Warning

- *Kalkines v. United States*, 473 F.2d 1391 (Ct. Cl. 1973)
- A **Kalkines warning** is an advisement of rights by the United States Government to federal employees during internal investigations. This warning compels employees to make statements or, in the alternative, face disciplinary actions up to, and including dismissal. However, the employees must be provided criminal immunity for their statements.
- Although similar, a **Garrity warning** is issued when the employee may still face federal criminal liability, where a **Kalkines warning** is issued when immunity has been granted from federal criminal liability.

### Sell Hearing

- *Sell v. United States*, 529 U.S. 166 (2003)
- A **Sell hearing** is one in which the court considers four criteria to determine whether the involuntary administration of medication to an incompetent pretrial defendant is proper: (1) whether the defendant committed a serious crime, (2) whether there is a substantial likelihood that involuntary medication will restore the defendant's competence and do so without causing side effects that will significantly interfere with the defendant's ability to assist counsel, (3) whether involuntary medication is the least intrusive treatment for restoration of competence, and (4) whether the proposed treatment is medically appropriate.

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### Talk the Talk – from page 5

#### **McDonnell Douglas Burden-Shifting**

- *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973)
- McDonnell Douglas burden-shifting requires, in Title VII (employment discrimination) cases, that the plaintiff (employee) must establish a *prima facie* case of discrimination. If established, then the defendant (employer) must produce evidence of a non-discriminatory reason for its actions. Upon this showing, the plaintiff then has to prove that the defendant's explanation is insufficient or the defendant's actions were unlawful under discriminatory parameters.

#### **Monell Doctrine**

- *Monell v. Dep't of Social Servs.*, 436 U.S. 658 (1978)*t*
- Under *Monell*, a municipality may be held liable for an officer's actions when it is established by a plaintiff that the officer(s) in question violated a constitutional right, and that violation was caused by an official municipal policy, or an unofficial custom. A *Monell Violation* has also been found when a municipality was deliberately indifferent in the failure to train or supervise the officer(s) in question.

#### **Miranda Rights (or Miranda Warning)**

- *Miranda v. Arizona*, 384 U.S. 436 (1966)
- A **Miranda warning** is the advisement of rights that must be provided by police officers (acting in their official capacity) to criminal suspects in police custody. The specific **Miranda rights** are: (1) the right to remain silent, (2)

if you do say anything, it can be used against you in a court of law, (3) the right to an attorney, (4) if you cannot afford an attorney, one will be provided for you.

#### **Barker Test (Speedy Trial Rights)**

- *Barker v. Wingo*, 407 U.S. 514 (1972)
- The Supreme Court fashioned the **Barker test** to determine whether a defendant's right to a speedy trial in a criminal prosecution has been violated. The determination is made on a case-by-case basis, taking into account: (1) the length of the delay, (2) the reason for the delay, (3) the time and manner in which the defendant has asserted his or her right to a speedy trial, and (4) the degree of prejudice to the defendant which the delay has caused.

#### **Touhy Regulations**

- *United States ex rel. Touhy v. Regan*, 340 U.S. 462 (1951)
- **Touhy regulations** refer to the regulations enacted by various federal agencies to govern the release of information by federal employees, whether testimony or documents, typically in response to a subpoena. In *Touhy*, the Supreme Court held that it was Constitutional and a proper exercise of executive authority for the U.S. Department of Justice to deny information to a party in accordance with its internal regulations. Accordingly, it is important to follow the particular agency's **Touhy regulations** when seeking information from that agency.
- Tip: *Touhy* is pronounced "Too-ee."

#### **Twiqbal Standard (a.k.a. Twombly and Iqbal)**

- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009)
- In these landmark Supreme Court decisions, the Court read the pleading standards of the Federal Rules of Civil Procedure to require more than "notice pleading" and effectively restrict a plaintiff's ability to sue in federal court. Rule 8(a) requires a plaintiff's claim to allege enough factual content to demonstrate a plausible entitlement to relief (instead of providing enough detail to simply put a defendant on notice), even as to allegations of intent, knowledge, and other conditions of the mind that Rule 9(b) allows to be alleged "generally."

#### **Upjohn Warning**

- *Upjohn Co. v. United States*, 449 U.S. 383 (1981)
- An **Upjohn warning** is essentially a corporate *Miranda* warning. Under *Upjohn*, the Supreme Court held that communications between corporate counsel of the Corporation are privileged. However, prior to obtaining information, the corporate employee should be notified that: (1) the attorney-client privilege over communications between the attorney and the employee belongs solely to the corporation, (2) the corporation may choose to waive the privilege and disclose what the employee.
- Local jurisdictions also have shorthand terminology which can also be confusing for a lawyer who is inexperienced or who practices in another jurisdiction. For example, below are some relevant terms to criminal practitioners in Maryland state courts:

*Continued on next page*

**Talk the Talk – from page 6**

**Gibson Hearing (a.k.a. Rule 4)**

- *Gibson v. State*, 328 Md. 687 (1992)
- A **Gibson hearing** occurs upon the State's claim of an alleged violation of probation. It is an evidentiary hearing upon which, if the violating act is proved by a preponderance of the evidence, is grounds for violation of probation.

**Beach Motion**

- *Beach v. State*, 75 Md. App. 421 (1988)
- Under *Beach*, when the State alleges a violation of probation, the State is required to make reasonable efforts to serve the notice of violation upon the alleged violator to notify him or her of its intent to enforce the violation. A defendant may make a **Beach motion** to allege that the State has failed to make such reasonable efforts.

**Terry Stop**

- *Terry v. Ohio*, 392 U.S. 1 (1968)
- A **Terry stop** allows the police to briefly detain any person based upon a reasonable and articulable suspicion of involvement in criminal activity. It is a lower standard than probable cause, which is what is needed to make a legal arrest. When making a **Terry stop**, the police must have specific and articulable facts that indicate that the individual is, or is about to engage in criminal activity, considering the totality of the circumstances.

**Nance/Hardy Rule**

- *Nance v. State*, 331 Md. 549 (1993)
- The **Nance/Hardy rule** concerns the admissibility of prior inconsistent

statements. In conjunction with Md. Rule 5-802.1, this rule arises when witnesses do not uniformly testify that they had no memory of their sessions with police or the grand jury in which they made identifications or statements relevant to a criminal prosecution, but remember only some parts of these earlier events. A witness may not feign an inability to recall, so upon laying the foundation that such feigned-memory has occurred, the prior recorded statement of the witness may be entered into evidence as a whole.

*Let this shorthand guide prop you up on your next trip to court, a negotiation, or the local watering hole. It can help you “talk the talk” confidently among your judiciary, partners, peers, and clients—even if you have not had to “walk the walk” just yet. Good luck!*

## Welcome the United States District of Maryland's Newest Judge, The Honorable Lydia K. Griggsby

By Isabella C. Demougeot, Esq.

On July 23, 2021, The Honorable Lydia K. Griggsby became a United States District Judge. Joining the bench in her hometown of Baltimore marks a return

to the very roots that led Judge Griggsby down her path of public service. Judge Griggsby grew up in the Baltimore area, where she attended the Park School. It is this strong connection to the community that has driven her passion for public service in this very community. The seeds of a career in public service were planted pretty early on in high school when Judge Griggsby's senior project had her extern at the State's Attorney's Office for Baltimore City.

Prior to taking the bench, Judge Griggsby started her career in private practice as an associate attorney at DLA Piper, LLC. It was during this time, in private practice, that she decided to do some deep introspection about her career and to think about what she really wanted



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**Judge Lydia K. Griggsby – from page 7**

to do. Thereafter, Judge Griggsby began her illustrious career in public service, which includes time as a Trial Attorney in the Civil Division of the U.S. Department of Justice; an Assistant United States Attorney with the U.S. Attorney's Office for the District of Columbia; a counsel to the Senate Select Committee on Ethics; and the Chief Counsel for Privacy and Information Policy for the Senate Judiciary Committee. Judge Griggsby, previously, served on the bench as a Judge on the United States Court of Federal Claims. On December 12, 2019, Judge Griggsby received the Loren A. Smith Award, the highest award the Court bestows for service on its behalf.

Judge Griggsby wants others contemplating a career on the bench to understand that becoming a judge is a life change not simply a professional change, as it impacts all aspects of one's life. As for recommendations for litigants that appear before her, Judge Griggsby suggests that litigants be on time, be prepared, and demonstrate courtesy and decorum (as the court is a serious place). Judge Griggsby sends out a standard case management order in her civil cases. She also prefers that litigants make all efforts

to resolve issues amongst themselves prior to filing briefs. She wants litigants to be able to use the court in the most efficient way possible.

Judge Griggsby is responsive to litigants admitting the weaknesses in their case because the ability to acknowledge such weaknesses is a true mark of a prepared litigant. Litigants do not have to win on every issue in order to win the case. Judge Griggsby highly advises litigants to be accurate when discussing the law, interpreting the relevance of particular case law, and clear on how he or she wishes the court to apply said law. She also appreciates for proposed orders to be prepared in advance, and that litigants ensure that all necessary materials be present and fully functioning prior to any hearings or trials. As for litigants in criminal matters, Judge Griggsby appreciates receiving filings as soon as possible in order to have time to familiarize herself with particularities of each case.

When asked to describe her style in the courtroom, Judge Griggsby stated that she is formal, but respectful. She provides litigants an opportunity to speak and to be heard in order to make them

feel comfortable. When she enters the courtroom, she is ready to go.

Judge Griggsby's favorite part of being a judge is the opportunity to mentor others such as law clerks and interns, and to see them grow and develop. She greatly enjoys sharing her love of the law with others. She believes that clerkships offer young lawyers the opportunity to transition from law school to the practice of law, and to begin to learn how to be a lawyer. She also has interns throughout the school year, who she also enjoys mentoring.

As a law student at the Georgetown University Law Center, Judge Griggsby often went to hear oral arguments at the Supreme Court of the United States, and to observe the legislative process on the Hill. She wanted to learn to practice law and prepare herself to be a lawyer, and she realized that she learned a great deal from watching good lawyers practice their craft. She recommends that young lawyers looking to gain and/or hone their skills try to observe good lawyers in action.

In her free time, Judge Griggsby enjoys reading and gardening, which she finds to be very relaxing.

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**Magistrate Judge  
Brendan A. Hurson  
  
United States  
District Court for the  
District of Maryland**

**By Daniel M. Moore**

You never know where life will take you—especially if you are like newly-appointed U.S. Magistrate Judge Brendan A. Hurson, whose career has taken him from coast to coast and to the U.S. Virgin Islands and back. Judge Hurson's appointment fills a vacancy in the Northern Division created by the recent elevation of the Honorable Deborah L. Boardman, District Judge, U.S. District Court for the District of Maryland.

An Order of the Coif graduate of the University of Maryland School of Law, Judge Hurson actively participated in the law school community. He learned valuable trial advocacy skills, which proved most helpful for his career, as a member of the school's National Trial Team. He also served as an editor of the *Journal of Race, Religion, Gender & Class* and led the student body as president of the Student Bar Association.

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### **Judge Brendan A. Hurson – from page 8**



Yet, Judge Hurson recalled his participation in the University of Maryland School of Law's clinical law program as the most formative experience of his legal education. "I am blessed and privileged to be so fortunate; serving indigent individuals who could not afford a lawyer was one way for me to begin paying back the societal debt I owe." Even before attending law school, Judge Hurson had a desire to serve underprivileged communities. After graduating with honors from Providence College in 2000—where he earned a Bachelor of Arts in Public and Community Service Studies with a minor in Black Studies—Judge Hurson moved to San Francisco, California with the Jesuit Volunteer Corps. Throughout the experience, Judge Hurson served marginalized communities one individual at a time. This work eventually gave way to Judge Hurson's budding interest in the law, where, as a federal public defender, he provided legal representation to those unable to independently obtain it.

Judge Hurson began his legal career as a law clerk to the Honorable Margaret B. Seymour, U.S. District Court for the District of South Carolina. "I learned many

lessons about the law and what makes qualities make an excellent judge," Judge Hurson said of his time as a law clerk. "Judge Seymour exemplified poise and judicial temperament. Watching her on the bench, I witnessed the importance of contemplation and making everyone in the courtroom feel heard." Judge Hurson's new colleagues in the District of Maryland, who he says he now seeks to emulate, display many of the same quintessential judicial qualities as Judge Seymour.

Following the conclusion of his clerkship, Judge Hurson entered private practice as a civil and criminal litigation associate at a small Baltimore law firm. But it wasn't long before he received a call from James Wyda, Federal Public Defender for the District of Maryland, extending an offer to join the Baltimore Office of the Federal Public Defender for the District of Maryland. Judge Hurson readily accepted, launching his career as an assistant federal public defender. After eight years, he became Senior Litigation Counsel. Two years into that role, a bulletin advertising an open position in the Office of the Federal Public Defender for the U.S. Virgin Islands found its way to Judge Hurson's email inbox. The once-in-a-lifetime opportunity appeared intellectually fulfilling and the timing was right, so he took a shot—and got the offer.

Judge Hurson represented individuals charged with violating federal and territorial laws on the islands of St. John, St. Thomas, and St. Croix. But in 2017, soon after his arrival in the Caribbean, Hurricanes Irma and Maria struck. The back-to-back category five storms devastated the U.S. Virgin Islands; they destroyed windows, tore away roofs, and knocked out electricity for months. Judge Hurson recalled assisting in the recovery efforts where neighbors helped each other, searched for the

missing, and cleared debris. It was this close-knit community effort that, in part, encouraged Judge Hurson to apply to the bench when the opportunity arose. "In the U.S.V.I., I saw firsthand the role of the court in recovering and reopening after the hurricanes. It showed me how the judiciary can support the community that surrounds it. That, I think, is critical to our operation."

Maryland, and especially Baltimore City, has always had a way of drawing Judge Hurson "home." After nearly two years in the U.S. Virgin Islands, and until his current appointment, Judge Hurson returned to the Office of the Federal Public Defender in Baltimore. On the bench since February, Judge Hurson recently completed his first civil jury trial.

Judge Hurson has advice for both younger, inexperienced attorneys and those appearing before him in the Baltimore courthouse. To attorneys new to the bar, he says, "don't be afraid of what you don't know. Be willing to accept assignments and tasks that take you out of your comfort zone." He learned this early, from his father, who is also an attorney. "You can do the job, and you can do it well if you put your mind to it." To those who litigate cases in front of Judge Hurson, he stresses the importance of civility and courtesy to all. On a practical note, be familiar with the court's local rules and keep the court apprised of notable developments in your case early and often.

The attentive reader may have detected that Judge Hurson has an affinity for travel. This is undoubtedly true. Of the country's fifty states, Judge Hurson has visited all but seven. He notes that he also has a few territories he needs to visit, too. A Baltimore Orioles fan at heart, he is

***Continued on next page***

**Judge Brendan A. Hurson – from page 9**

particularly drawn to experiencing Major League Baseball stadiums across the country. More locally, though, you might catch him listening to live music at a venue in Baltimore City.

Judge Hurson is excited to bring a depth of knowledge in litigation and public defender's perspective to the bench. He will apply skills learned over a career, himself appearing before the court on

which he now sits, in service to the people of Maryland. "I wouldn't change a thing," he said, reflecting on nearly two decades in practice, "and now, I look forward to what's to come."

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## Magistrate Judge Matthew J. Maddox

### United States District Court for the District of Maryland

**By Daniel M. Moore**

The desire to serve the needs of the community has guided almost every career decision of newly-appointed U.S. Magistrate Judge Matthew J. Maddox. From his time as an educator with the Teach for America Program to his appointment as an Assistant United States Attorney for the District of Maryland, Judge Maddox looked for opportunities to positively impact the lives of those around him. Now, filling the vacancy created by the retirement of U.S. Magistrate Judge Thomas M. DiGirolamo, Judge Maddox works to serve the broader Maryland community in which he was born and raised as a judicial officer.

Judge Maddox earned his undergraduate degree *summa cum laude* from Morgan State University, where he majored in Philosophy and Religious Studies and minored in psychology. Upon graduation, Judge Maddox became a Fulbright Scholar and later joined Teach

for America. Becoming a teacher proved to be a natural step; Judge Maddox's mother had instilled in him the importance of education from an early age. While he enjoyed teaching, the prospect of working in the law—which he described as "broad, complex, and interesting with a focus on reasoned decision making"—appealed to him for the same reasons as philosophy and logic.

Judge Maddox attended Yale Law School where he participated in a newly-formed prisoners' rights clinic. This work, investigating the practices and procedures of a maximum security prison, informed Judge Maddox's initial interest in criminal law. First, though, he served as a law clerk to the Honorable Gerald Bruce Lee, U.S. District Court for the Eastern District of Virginia. The exposure to the innerworkings of a fast-paced federal trial court planted the first seed that Judge Maddox might want to one day serve in the judiciary. Judge Lee, he said, "is an excellent role model for any trial judge. When I face with a tough issue, I often ask myself 'what would Judge Lee do?'" In the Eastern District of Virginia, Judge Maddox produced a high volume of written work and helped prepare Judge Lee for weekly motions hearings. Likened to a "legal boot camp," he said this experience has immensely helped his own transition to the bench.

Judge Maddox entered private practice as a litigation associate in the Washington,



D.C. office of Holland & Knight LLP. After nearly two years in practice, Judge Maddox served as a law clerk to the Honorable Andre M. Davis, U.S. Court of Appeals for the Fourth Circuit. "Judge Davis possessed what I consider to be 'judicial wisdom': the instinctual ability to reach the right result but based on an encyclopedic knowledge of the law." Judge Davis imparted on Judge Maddox the importance of keeping touch with humanity in performing the work of a judge and maintaining the utmost respect for the legal profession.

After concluding his second clerkship in September 2015, Judge Maddox joined the United States Attorney's Office for the

***Continued on next page***

### **Judge Matthew J. Maddox – from page 10**

District of Maryland. Assigned to the Criminal Division in Baltimore, Judge Maddox prosecuted federal crimes occurring in this District. After five years with the USAO's Northern Division, Judge Maddox became Deputy Chief of the Major Crimes Section. In addition to his cases, Judge Maddox instructed law enforcement agents on specialized areas of law including human trafficking and identity theft.

Now on the bench for three months, Judge Maddox says that his transition from being an advocate to a member of the judiciary has revealed both significant differences and similarities to his prior work as an advocate. He notes that the work of a prosecuting attorney requires a great deal of impartiality and consultation with one's moral compass. "To be a principled and ethical advocate, an attorney must heed similar considerations as an impartial decision-maker." At the start of every matter, he pauses to remember the simplest of tasks: to listen. Emptying the mind and focusing on the speaker at hand help to facilitate the weighty, and independent,

task of deciding cases. Judge Maddox enjoys that the substantive area of law invoked in each case presents something new each day.

He misses the deep ranks of attorneys who make up the U.S. Attorney's Office. That environment's collaborative nature made it easy to discuss cases and seek advice on tough issues. In fact, Judge Maddox is most proud of his time as a federal prosecutor. "In the role of a prosecutor, the 'wrong decision' can be, at times, frighteningly easy to make. My former colleagues are hardworking and dedicated to reaching the right result in every case. The shared commitment to uphold the law bolsters the reputation of the office in Maryland and makes me proud to have served there."

Looking back on his career, Judge Maddox has simple advice for attorneys at all stages of their careers: "don't worry." It can be challenging, he says, but "relax about the things that are out of your control. Instead, focus your attention and talent on the task at hand and on your next opportunity to add value."

Like a growing number of people in recent years, Judge Maddox is helping vinyl make a comeback. A record player sits behind his desk, beneath a cabinet full of LPs encompassing jazz-Miles Davis being his favorite—rock, soul, and R&B. "There's a warmth to vinyl that is missing from digital music players." Aside from work, Judge Maddox has a penchant for fantasy and science fiction because it helps him think imaginatively. Currently, he's reading the works of Octavia Butler, an award-winning science fiction author.

Judge Maddox wished to express his sincere appreciation to the bar for the level of civility he has witnessed thus far. "When attorneys work civilly with each other, it makes a judge's job easier, it reduces the court's workload, and it gives me confidence that the issues presented for adjudication are both substantive and genuine." For Judge Maddox, serving as a judge in the community in which he grew up is a true honor. He is thrilled to continue working for the betterment of all Marylanders, and his appointment reflects the exceptional quality of judges who compose the District of Maryland.

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## **Magistrate Judge Ajmel A. Quereshi United States District Court for the District of Maryland**

**By Daniel M. Moore**

Fairness. Equality. Equal Treatment. Three pillars underlying the rule of law were central to newly-appointed U.S. Magistrate Judge Ajmel A. Quereshi's career as a practicing attorney. Since taking the bench on April 18, 2022—filling the vacancy created by the retirement of U.S. Magistrate Judge Charles B. Day—Judge Quereshi applies these same principles to ensure, within the boundaries of the law, a fair and equal place for all individuals appearing before him in the Southern Division of the United States District Court for the District of Maryland.

Judge Quereshi began a public-minded life during his undergraduate studies at Marquette University, where he earned a Bachelor of Arts *cum laude* in Sociology, English and History. A product of public education in Milwaukee, Wisconsin, Judge Quereshi contemplated a life in service to others as either a public-school teacher or attorney before ultimately choosing the latter. He graduated *magna cum laude* from the University of Minnesota Law School.

***Continued on next page***

### Judge Ajmel A. Quereshi – from page 11



Some of Judge Quereshi's earliest experiences as a law clerk to the Honorable James G. Carr, U.S. District Court for the Northern District of Ohio, and the Honorable Damon J. Keith, U.S. Court of Appeals for the Sixth Circuit, now shape Judge Quereshi's work as a member of the federal judiciary himself. Judge Carr, he said, "demonstrated a deep commitment to fairness," which he similarly strives to embody in each case, and emphasized the importance of attention to detail and quality writing. Judge Keith had a distinctive ability to identify and neutralize potential biases from impacting the decision-making process—a skill Judge Quereshi actively hones to look at legal issues from every angle.

Between clerkships, Judge Quereshi was selected to serve as a Skadden Fellow at the American Civil Liberties Union of Maryland. There, he directed the Immigrants' Rights Project and sought out opportunities to gain hands-on experience to become a better attorney. He later served as Staff Counsel for the National Prison Project at the American Civil Liberties Union in Washington, D.C.

Throughout his career, Judge Quereshi has fostered a passion for shaping the next generation of attorneys through legal education and mentorship. Beginning in 2011, Judge Quereshi joined Howard University School of Law in Washington D.C., where he served as Director of the Civil Rights Clinic and taught courses in Torts, Federal Civil Rights and Appellate Litigation. "Mentorship is important to me," he said of working with soon-to-be and newly-barred attorneys. Investing in young lawyers improves the bar and advances quality representation for all. "I learned early in my career that everyone will make mistakes. It is inevitable. But more experienced practitioners can guide newer ones to do their best and learn." As a result of Judge Quereshi's steadfast commitment in this area, in 2016, Harvard Law School awarded him a Wasserstein Fellowship, which "recognizes exemplary lawyers who have distinguished themselves in public interest work and who can advise students considering similar career paths."

Most recently, before his appointment, Judge Quereshi served as Senior Counsel to the NAACP Legal Defense Fund. Judge Quereshi sees some common aspects between his work as an advocate and as a judge. In both, there is an emphasis on ensuring all people are treated fairly. Now, as a judge, he recognizes the role no longer

entails pushing for change, but rather that he weigh all arguments, ensure all parties are heard equally, and make sound decisions.

In his new role, Judge Quereshi values the ability, and obligation, to think deeply about the law. "When a new matter is presented to me, I think deeply about the governing law, applicable cases, and the arguments of each counsel. I am constantly reminded that a real person exists behind each case and significant resources were expended, by both parties, to reach this point." The advice of Judge Quereshi's new colleagues has helped the transition to the bench: do your level best and develop a reputation for following the law.

Judge Quereshi is not so far removed from practice that he forgets what it is like to be on the other side of the bench. In fact, it still comes to his mind before starting a hearing or routine docket. "I try not to forget what it is like to be a practitioner. Every attorney zealously advocates for their client to the best of their ability." Yet, Judge Quereshi stressed that credibility and decency are equally critical in the legal profession. Zealous advocacy "should not stifle cordiality to opposing counsel and kindness to all. Bluster does little to advance a client's cause."

***Continued on next page***



**Federal Bar  
Association  
Maryland Chapter**

**Seeking FBA Maryland Chapter  
Members to Facilitate  
Judicial Fireside Chats**

If you are interested in the opportunity to facilitate a virtual fireside chat with a Judge from the District Court for the District of Maryland, please email us at [info@fbamd.org](mailto:info@fbamd.org).

### Judge Ajmel A. Quereshi – from page 11

Beyond the walls of the Greenbelt courthouse, Judge Quereshi is an avid runner. He regularly runs throughout the week and has run both half and full marathons over the years. The proud son of Pakistani-American immigrants, Judge Quereshi fondly recalled childhood memories bonding with his family over football games—those of the Green Bay

Packers to be specific. He is a fan of all Wisconsin sports teams, including the Milwaukee Brewers and the Bucks, but football has special meaning to him. He now bonds with his own son over Green Bay games, just as he used to do with his father.

Behind the tremendous responsibility that accompanies work in the federal

judiciary, Judge Quereshi seeks never to forget that he, like those who appear before him, is human. His commitment to make the world a more equal and fair place will serve everyone—his colleagues on the bench, attorneys at the bar, and individuals appearing before the court—beyond measure.

### Are You Interested in Becoming More Involved in the FBA MD Chapter?

- Create content for our newsletter, website or social media platforms
- Serve as a resource for our Professional Development Committee
- Join a committee (descriptions can be found at <https://www.fbamd.org/committees>)
- Plan Chapter events and serve as FBA MD Chapter ambassador

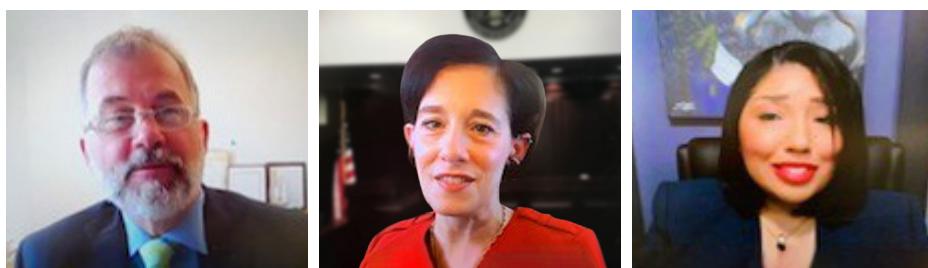
To get involved or to learn about current opportunities and projects, email [info@fbamd.org](mailto:info@fbamd.org)

## Chapter Presents 2022 Introduction to Federal Practice Program

By Robert S. Brennen

For many years the Maryland Chapter of the FBA has offered an annual “Introduction to Federal Practice” program, alternating year to year between the District’s Northern Division Courthouse in Baltimore and Southern Division Courthouse in Greenbelt. The program was cancelled for 2020. Last year’s program was presented virtually as a webinar over the course of four sessions.

This year the Chapter returned the program to its traditional one-day format culminating in a swearing in ceremony for lawyers newly admitted to the bar of the Court. However, due to continuing concerns regarding COVID-19 variants, the program was once again offered as a webinar, with the candidates for admission promoted to speaker status so they could be seen and speak directly to the Court when taking the oath of admission.



The program was moderated by **Bob Brennen** of Miles & Stockbridge P.C. and began with welcome remarks from the United States District **Judge Paula Xinis** and Chapter President **Nicholé C. Gatewood** of Gatewood & Associates.

*Continued on next page*

### **Introduction to Federal Practice Program - from page 13**

Their remarks were followed by:

- A Primer of the Courthouse by **David Ciambuschini** Chief Deputy Clerk of Operations.



- A presentation on pleading, jurisdiction, venue and removal by **Ezra Gollogly** and **Louis P. Malick** of Kramon & Graham and United States Magistrate **Judge J. Mark Coulson**.



- A presentation on *pro bono* opportunities to represent victims of domestic violence by **Deena Hausner**, Associate Director of The Marjorie Cook Foundation Domestic Violence Legal Clinic
- A presentation on evidence by **Pierce Murphy** of Silverman Thompson Slutkin & White and United States District **Judge Paula Xinis**.

- A presentation on mediation by **Ramsay Whitworth** of Silverman Thompson Slutkin & White and United States Magistrate **Judge Gina Simms**.



- A presentation on discovery and electronically stored information (ESI) by **Thomas Barnard** of Baker Donaldson, **Michael Berman** of Rifkin Weiner Livingston, and United States District **Judge Stephanie Gallagher**.



- A presentation on how to become a member of the District's Criminal Justice Act Panel by United States Magistrate **Judge J. Mark Coulson**, First Assistant Federal Public Defender **Katherine Tang Newberger**, Assistant United States Attorney **Brendan Moore**, and Criminal Justice Act Coordinator **Maureen Essex**.



- A presentation on civil motions practice by **Kristen Eriksson** of Miles & Stockbridge and United States District **Judge Paula Xinis**.



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## FEDERAL BAR ASSOCIATION – MARYLAND CHAPTER NEWSLETTER

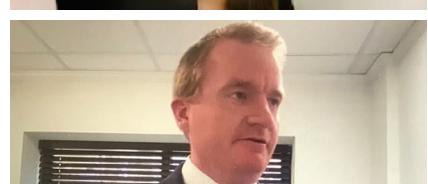
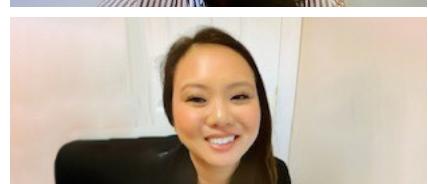
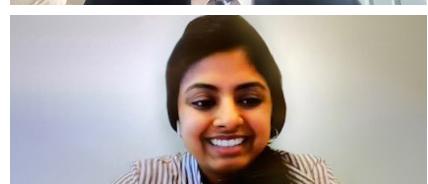
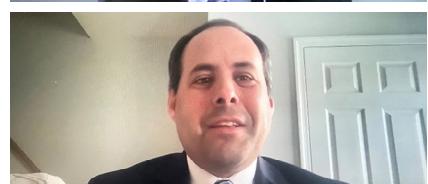
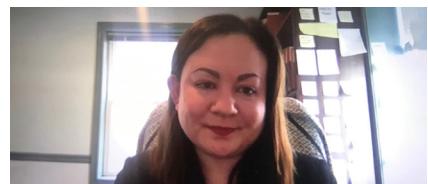
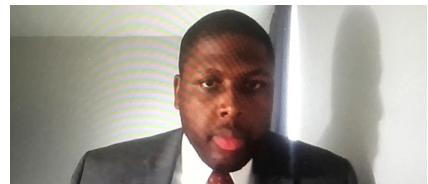
### **Introduction to Federal Practice Program - from page 14**

After the presentations were completed **Judge Xinis** presided over the Admission Ceremony for nine new members of the Bar of the District of Maryland.



*Top to Bottom:*

Kevin Barker, Owen Bement,  
Aldel M. L. Brown, Katie Chang,  
Barret Claunch, Alan Goodwich,  
Sophia Jafrul, Iris J. Kwon, and Robert Milder



## National FBA Leadership Summit



Bonnie Greenberg,  
National Chapter Delegate,  
attends FBA National  
Leadership Summit  
(April 29, 2022)



Nicholé Gatewood,  
Maryland Chapter President,  
attends FBA National  
Leadership Summit  
(April 29, 2022)

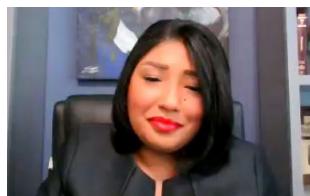


Nicholé Gatewood & Bonnie  
Greenberg represent MD Chapter at  
FBA National Leadership Summit  
meeting Conference Speaker  
Frank Abagnale Jr. (April 29, 2022)



## Virtual Event

Virtual Summer Speaker Series -  
Judges Richard Bennett and  
Ellen Hollander participate in chat  
facilitated by Nicholé Gatewood  
(June 6, 2022)



## Chief Judge James K. Bredar Delivers Virtual State of the Court Address

On March 29, 2022, the Maryland Chapter hosted the Virtual State of the Court Address with Chief Judge James K. Bredar. Chapter President Nicholé C. Gatewood provided introductory remarks and Board Member Adam Abelson hosted the event.

## FBA Maryland Chapter Annual Luncheon is a Huge Success!

On Friday, May 20, 2022, more than 200 attended the FBA Maryland Chapter's Annual Luncheon. This was a fantastic opportunity for members of the bar to connect or re-connect and hear from the newest members of the judiciary. The Chapter extends its gratitude to the Hon. William G. Connelly (Ret.) for serving as an outstanding master of ceremonies, the Hon. Thomas J. Catliota, Chapter President Nicholé Gatewood, and Past Chapter President Mark Saudek for providing remarks, and the luncheon honorees: Hon. Deborah L. Boardman, Hon. Brendan A. Hurson, Hon. Matthew J. Maddox, Hon. James K. Bredar, Hon. Maria Ellena Chevez-Ruark, Hon. Lydia K. Griggsby and Hon. Catherine M. Stavlas for their participation in the luncheon. Heartfelt thanks are also extended to the Annual Luncheon planning committee: Adam Abelson, Bob Brennen, Nicholé Gatewood, Bonnie Greenberg, Patty McLane, Maria Salacuse, and Mark Saudek.

## Judicial Fireside Chat Series

In January 2022, the Maryland Chapter launched a series of virtual fireside chats with U.S. District Court for the District of Maryland judges and magistrates. The chats, which are facilitated by members of the chapter, provide an opportunity to learn about the members of our federal judiciary's path to the bench and practice preferences and tips. Additionally, on occasion they have also shared insight into preferred musical selections and which sports team might get their support!



Judicial Fireside Chat featuring Judge Deborah Boardman facilitated by Joshua A. Glikin (January 11, 2022)



Judicial Fireside Chat featuring Magistrate Judge Brendan Hurson facilitated by Tyra Robinson (April 19, 2022)



Judicial Fireside Chat featuring Magistrate Judge Matthew Maddox facilitated by Laura Abelson (April 19, 2022)

Having been so well received, the chat will resume this fall, please calendar the upcoming chats:

- September 21 at 12 p.m. – Magistrate Judge Ajmel A. Quereshi
- October 24 at 12 p.m. – Judge Julie R. Rubin

## Maryland Chapter Honored at FBA's 2021 Annual Convention in Miami



Right to Left: Bob Brennen, President-Elect and FBAMD's Newsletter Editor and Lauren McLarney, FBAMD's Younger Lawyers Division Chair.

On September 25, 2021, the Maryland Chapter was selected for two awards by the Federal Bar Association: the **Chapter Activity Presidential Achievement Award** and the **Meritorious Newsletter Award**. The Presidential Achievement Award recognized those outstanding chapters that demonstrated diligent work, accomplishments, and programming over the past year. The Meritorious Newsletter recognized the best newsletters published by chapters, sections, and divisions to stimulate and encourage continued use of those valuable tools for connection. Katherine Newberger was at the helm as Chapter President during the relevant time period.

Bob Brennen, President-Elect and editor of our Newsletter, and Lauren McLarney, Chair of our Younger Lawyers Division, accepted the awards on the Chapter's behalf during the Awards Luncheon at the FBA's 2021 Hybrid Annual Convention & Meeting in Miami, Florida.

## Younger Lawyers Meet Up



Spring Forward Younger Lawyers Meet Up at Guilford Brewery (April 6, 2022)

## FBA MD Annual Luncheon



Maria Salacuse assessing COVID protocols at Annual Luncheon (May 20, 2022)



Nicholé Gatewood, President, and Bob Brennen, President Elect welcome attendees to Annual Luncheon (May 20, 2022)



Judge William G. Connelly (Ret.) - MC for Annual Luncheon (May 20, 2022)



Annual Luncheon Reception (May 20, 2022)



Annual Luncheon - Attendees Catch Up Before Lunch (May 20, 2022)



Maryland Federal Public Defender's Office Receive DiRito Award for Service (May 20, 2022)



Paul Caiola, Membership Chair, Nicholé Gatewood, President, and Bob Brennen, President Elect celebrate Annual Luncheon (May 20, 2022)



U.S. District Court for the District of Maryland Virginia Zahner, the IT Director for District Court and David Ciambuschini, Chief Deputy of Operations receive DiRito award for service with Catherine Stavlas, Clerk of the Court and Nicholé Gatewood, Chapter President congratulating (May 20, 2022)



Federal Bar  
Association  
Maryland Chapter

## HOW WILL THE LAST SESSION AFFECT YOUR PRACTICE?



**KIMBERLY L. WEHLE**

is a tenured law professor at the University of Baltimore School of Law and former CBS News legal analyst. She writes on the separation of powers, outsourcing government, and the federal administrative state. She is also an op-Ed contributor for Politico, The Atlantic, The Hill and The Bulwark, and a regular commentator on CNN, MSNBC, and NPR's Morning Edition. Wehle has written three books: How to Read the Constitution – and Why, What You Need to Know About Voting – and Why, and How to Think Like a Lawyer — and Why.



**PARESH PATEL**

is currently the Appellate Chief at the Office of the Federal Public Defender for the District of Maryland. He has been at the Federal Public Defender since 2003. Before then, he worked as a staff attorney at the Public Defender Service in Washington, D.C. and the Office of the Appellate Defender in New York, New York. In 1999-2000, he clerked for the Honorable Ancer L. Haggerty of the United States District Court for the District of Oregon in Portland. Paresh earned his J.D. from American University in 1996, and he received his undergraduate degree from the University of Southern California in 1993.



**JASON D. MEDINGER**

has been serving as the Appellate Chief for the U.S. Attorney's Office in Maryland since 2017. Prior to that, he served as an Assistant United States Attorney in Maryland prosecuting narcotics and violent crime cases. He has also served as a civil AUSA, defending the United States government and its agencies against civil actions alleging torts and employment discrimination. Prior to entering government service, Mr. Medinger worked at a law firm in Atlanta, Georgia. Mr. Medinger has been an adjunct professor of law at Stevenson University since 2011. He clerked for the Honorable Stanley F. Birch, Jr., on the U.S. Court of Appeals for the Eleventh Circuit from 2004-2005. He received his law degree from the Emory University School of Law in 2004, and his undergraduate degree from the University of Notre Dame in 2000.

*Join us as our speakers discuss these and other cases from the Supreme Court's 2021-2022 term*

**The Supreme Court has had one of its most monumental terms in years, with plenty of important developments in criminal and civil law. In addition to several high-profile cases involving capital punishment, including the Boston marathon bombing case, the Court tackled cases ranging from the constitutionality of pre-viability prohibitions on elective abortions, whether the Second Amendment protections concealed carry licenses for firearms, vaccine mandates, school prayer, opioid prosecution standards, and what constitutes a "crime of violence" under federal criminal law.**

Register Now @ [FBAMD.ORG](http://FBAMD.ORG)

# Kramon & Graham trial attorney Jim Ulwick receives Peter A. DiRito Award at the Federal Bar Association Maryland Chapter Annual Luncheon

www.kramonandgraham.com/kramon-graham-trial-attorney-jim-ulwick-receives-peter-a-dirito-award-at-the-federal-bar-association-maryland-chapter-annual-luncheon



## News and Events

[View All News](#)

June 1, 2023



Kramon & Graham, a leading law firm providing litigation, real estate, and transactional services, announced today that trial attorney James P. Ulwick was presented with the Peter A. DiRito Award by the Maryland Chapter of the Federal Bar Association. The award honors

Jim for his outstanding and dedicated service to the U.S. District Court for the District of Maryland and to the Maryland Chapter of the Federal Bar Association.

Robert Brennen, President of the Maryland Chapter of the FBA presented the award to Jim on May 19, 2023 at the organization's annual luncheon held at the Hyatt Regency in Baltimore.

According to the Maryland Chapter of the Federal Bar Association, "Peter A. DiRito served as the President of the Maryland Chapter of the Federal Bar Association and was a member of the Chapter's Board of Governors for many years. Peter's dedicated service and leadership set the example which all of us strive to follow. Peter was a special human being. To honor Peter's memory, the Maryland Chapter established the Peter A. DiRito Award in 1987. The award is made annually to recognize public service that furthers the Federal Bar Association's goals: the enhancement of the federal legal profession, the advancement of justice, and the betterment of society."

Examples of Jim's commitment to the advancement of justice include his recent and successful challenge to the appropriateness of the U.S. Attorney's review of materials confiscated from a law firm client. That challenge resulted in the U.S. Court of Appeals for the Fourth Circuit's decision to reject the use of a filter team to review materials seized from a law firm, the first appellate decision on the subject. And in 2019, Jim accepted the John Adams Award on behalf of all Criminal Justice Act Panel members who were involved in defending the individuals indicted in the Eastern Correctional Institution prison case, the largest prison corruption case in Maryland history. More than 80 defendants were indicted for their alleged roles in an extensive network of contraband smuggling and trafficking. Jim's client was tried and acquitted.

Leader of Kramon & Graham's Class Action and Internal Investigations practice groups and Fellow of the American College of Trial Lawyers, Jim focuses on criminal and civil litigation. His impressive results have led to professional honors including recognition by *The American Lawyer*, *Chambers USA*, *Benchmark Litigation*, and *The Best Lawyers in America*.

## Related Attorneys

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James P. Ulwick

# 2023-2024 News - Federal Bar Association MD

 [fbamd.org/2023\\_2024\\_news](http://fbamd.org/2023_2024_news)



**Federal Bar  
Association  
Maryland Chapter**

## 2023-2024 News

### Final 2024 Chapter Event at TopGolf

On June 25, 2024, the FBA Maryland Chapter had an enjoyable evening of golf, catching up with colleagues, networking and great food. The Chapter also took the opportunity to thank outgoing President Ezra S. Gollogly for his excellent leadership.





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### Younger Lawyers Committee Happy Hour & Networking Event

On Tuesday, June 4, 2024, the Maryland Chapter's Younger Lawyers Committee hosted a happy hour and networking event for younger lawyers and soon-to-be lawyers at Guilford Hall Brewery in Baltimore. The Younger Lawyers Committee was excited to welcome nearly 40 attendees to the event, including younger lawyers from private practice and public service, federal judicial law clerks, and lawyers-to-be, including law students, summer associates, and interns. In addition to enjoying a variety of refreshments and the beautiful

spring weather, the younger lawyers and lawyers-to-be met and mingled with each other and Maryland Chapter Board members to learn more about the Chapter, the many benefits of FBA membership, and legal practice opportunities in and around Maryland.

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## **2024 Summer Speaker Series: The Judicial Panel**

On Friday, June 7, 2024, the Maryland Chapter of the Federal Bar Association kicked off its annual Summer Speaker Series with the first installment in the 2024 series: the Judicial Panel. The panel took place in-person at the United States District Court for the District of Maryland's Baltimore courthouse. The Chapter was honored to have United States District Judges Stephanie A. Gallagher and Brendan A. Hurson speak to a full room of younger lawyers and lawyers-in-the-making about a variety of topics, including day-to-day operations of a District Judge in our Court, federal practice and the many opportunities within, and career insight and advice. Panel attendees not only had the opportunity to engage with two District judges from our own bench, but they enjoyed Judge Gallagher and Judge Hurson's career stories and humor. The Chapter thanks Judge Gallagher and Judge Hurson for their participation, the attendees for coming to the event, and Megan J. McGinnis, a Principal at Miles & Stockbridge, for moderating the panel discussion.

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## **Record Attendance at FBA Maryland Chapter Annual Luncheon with Bench and the Bar**

On Friday, April 12, 2024 the Maryland Chapter welcomed approximately 300 members of the Bar and Bench of the District of Maryland to the Chapter's Annual Luncheon at the Baltimore Hyatt Hotel. During the pre-lunch reception, members mingled with colleagues and met new connections. As for the Luncheon, Mark S. Saudek warmly welcomed members and introduced all presenters and honorees. FBA Maryland Chapter President Ezra Gollogly provided opening and closing remarks. Honorees included the Honorable Adam B. Abelson, the Honorable Erin Aslan, the Honorable Charles D. Austin, the Honorable Brendan A. Hurson, and the Honorable Matthew J. Maddox. The Chapter also recognized the Honorable J. Frederick Motz. On behalf of the Chapter, Stuart Berman presented the Peter A. DiRito Award to the Honorable Deborah K. Chasanow, the Honorable Roger Titus, the Honorable Peter J. Messitte, and the Honorable Alexander Williams for their service to the District on the occasion of the 30<sup>th</sup> Anniversary of the Greenbelt Courthouse. Established in 1987, the Peter A. DiRito Award recognizes public service that furthers the FBA's goals of enhancing the federal legal profession, advancement of justice, and the betterment of society.



The Chapter thanks the presenters and honorees for their participation, as well as the FBA Maryland Chapter Luncheon Committee of Mark S. Saudek, Maria Salacuse, and Samantha Miller. For more photos of the event, click [here](#).

### **Annual Introduction to Federal Practice Program Held**

The Maryland Chapter of the Federal Bar Association presented its annual Introduction to Federal Practice Program on Friday, March 1, 2024 in the J. Frederick Motz Ceremonial Courtroom at the federal courthouse in Baltimore. This year's edition marked the second return to an in-person format and the first in-person version in Baltimore since 2019. The Chapter's Immediate Past President served as master of ceremonies. After wonderful welcoming remarks from Chief Judge James K. Bredar, the audience was treated to"

- A primer on the courthouses by Chief Deputy Clerk David Ciambuschini
- Highlights of the District's Local Rules and Standing Orders from Lauren McLarney, Neel Lalchandani and the Hon. Julie R. Rubin
- A discussion of discovery and ESI issues featuring Tom Barnard and the Hon. J. Mark Coulson
- Catherine Curran O'Malley, Executive Director of the Women's Law Center of Maryland speaking on services to victims of domestic violence
- A review of motions practice with Kristen Eriksoon and the Hon. Deborah Boardman
- A discussion of effective mediation practices with Bradley M. Strickland and the Hon. Gina L. Simms

And finally a brief word from Chapter President Ezra Gollogly about the benefits of FBA membership.

The formal program concluded with 30 members of the audience being sworn in as members of the District's bar during an admission ceremony presided over by the Hon. Brendan A. Hurson. Following the program participants, new admittees, their guests and presenters adjourned to a catered reception in the Courthouse lobby.





## **Shattering Barriers: A Conversation with the Hon. Willie J. Epps, Jr.**

On February 27, the Maryland Chapter and the Chapter's Diversity, Equity and Inclusion Committee were honored to present a discussion led by the Hon. Willie J. Epps, Jr., Magistrate Judge of the United States District Court for the Western District of Missouri, on the remarkable lives and careers of the first nine Black Americans to serve as federal judges. In a conversation moderated by Chelsea Crawford, a partner with Brown Goldstein & Levy LLP, Judge Epps provided fascinating insight into the effect these trailblazers had on our judicial system, as well as the legacies they left for generations of lawyers and jurists who followed.

Three years after Jackie Robinson shattered the Major League Baseball color barrier by starting at first base for the Brooklyn Dodgers, President Truman sparked an equally momentous revolution by appointing the first Black American for life tenure to a federal court. Like Jackie Robinson, the first Black federal judges left an indelible mark on our society. Decades of institutionalized discrimination had created a federal court system that Judge A. Leon Higginbotham, Jr. described as "both exclusionary and racially homogeneous." During a time when segregation permeated nearly all aspects of American life—from schools to workplaces, restaurants to hotels, public restrooms to water fountains—nine Black Americans overcame these barriers to lay the groundwork for decades of change to come. Judge Epps offered engaging anecdotes and keen insight into the first nine Black judges' backgrounds, lives, and achievements. His discussion provided a deep and rich

viewpoint on our nation's history during tumultuous times of social change. All who participated came away with deep admiration for the lasting legacies and continued relevance of these trailblazing Black federal judges.

The Maryland Chapter is most grateful for Judge Epps's generous, engaging, and thoughtful remarks. We further extend our deep appreciation to the Diversity, Equity and Inclusion Committee for its leadership, and FBA National's Program and Diversity, Equity and Inclusion Committees for their commitment and support. Finally, we recognize and appreciate Ms. Crawford's outstanding service as moderator.

We invite you to visit the following link to enjoy the program in its entirety:

<https://zuckerman.zoom.us/rec/share/wz5lwD5Bi3SBV9k8rFAIF9oPXPzDmJfLRXdxTDryIvdNWhdUZ-yajq MAK-S1foG.mLRIJ5tbU76CsCmU>

Passcode: 6%dQ2b@w

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The Chapter thanks the presenters and honorees for their participation, as well as the FBA Maryland Chapter Luncheon Committee of Mark S. Saudek, Maria Salacuse, and Samantha Miller. For more photos of the event, click [here](#).

### **Fireside Chat Held with Chief Judge James K. Bredar on April 25, 2024**

On April 25, 2024, the Maryland Chapter of the Federal Bar Association continued its fireside chat series with a conversation with Chief Judge James K. Bredar, whose tenure as chief judge will conclude at the end of May. Chief Judge Bredar described his early professional experience in the National Park Service and his unique profile as an attorney who worked both as a prosecutor and as a public defender before being appointed first as a United States Magistrate Judge (1998) and later as a United States District Judge (2010).

Chief Judge Bredar shared valuable insights with the guests who attended the chat, including about the need for lawyers to form and nurture professional mentorships early in their careers; the role of law clerks in chambers; and the important work of the Judicial Conference of the United States. Chief Judge Bredar concluded with some thoughts about the rule of law as a bulwark against anti-democratic pressures in contemporary society.

We are truly grateful for Chief Judge Bredar's willingness to spend an hour with us and to share his views and experience after a long and rich career in public service.



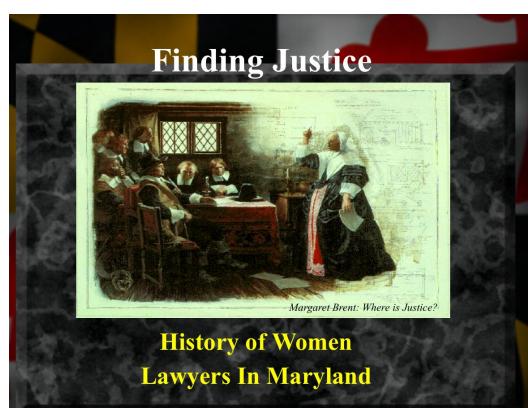
## Fireside Chat Held with Magistrate Judge Erin Aslan on March 27, 2024

On March 27, 2024, the Maryland Chapter of the Federal Bar Association hosted Magistrate Judge Erin Aslan for its Fireside Chat series. Judge Aslan joined the court in December 2023 after working most recently in the Office of the Inspector General. She reflected on her path to the bench, including her experiences studying abroad in Latin America, her law school clinic work representing victims of domestic violence, and her clerkship in the Southern District of New York. Judge Aslan also spoke about how her work investigating allegations of police misconduct with the Civilian Complaint Review Board in New York City inspired her to go to law school and enhanced her commitment to public service. She provided insightful advice to both new attorneys and established practitioners regarding mentorship, career development, and being a working parent. She also shared some practical guidance for litigators. We are grateful to Judge Aslan for the enlightening chat with the Chapter.



## Finding Justice: History of Women Lawyers in Maryland

In celebration of Women's History Month, on March 12, 2024, the Maryland Chapter of the Federal Bar Association and the Women's Law Center cosponsored an engaging webinar with the Honorable Lynne A. Battaglia who discussed her seminal work: *"Finding Justice: A History of Women Lawyers in Maryland since 1642."* Judge Battaglia traced the history of women lawyers in Maryland, beginning with those women during the colonial period who appeared as attorney-in-fact, such as Margaret Brent. Judge Battaglia discussed how married women faced more obstacles than those who were single since in many states such as Maryland a married woman could not individually own or inherit property, enter into contracts, or keep money earned unless her husband permitted it. The Married Women's Property Acts of 1898 significantly improved the legal status of married women and allowing even greater change in the legal community. Judge Battaglia highlighted many of the "firsts" such as Etta Maddox who was the first woman admitted to the Baltimore Law School in 1900 and became the first licensed woman in the State of Maryland. She also discussed her own experiences being the first presidentially appointed woman to serve as the U.S. Attorney for the District of Maryland and becoming the third woman to be appointed to the Maryland Court of Appeals. Judge Battaglia emphasized the importance of mentors, both male and female, to women lawyers to ensure diversity and accessibility in the legal profession.



## **FBA Maryland Chapter Submits Reader Commentary to The Sun on Keeping the Judiciary Safe**

Joining with the Maryland State Bar Association, on December 21, 2023, the FBA Maryland Chapter submitted a reader commentary to The Baltimore Sun regarding its editorial "Keeping Maryland judges safe shouldn't require lessening transparency." In the commentary, we asserted that The Sun failed to balance its transparency-related comments with the multitude of threats faced by Maryland's state and federal judiciary, noting that Judge Wilkinson's death is part of an escalating level of violence towards judicial officers that needs to be immediately addressed. We explained that the proposed Maryland legislation from 2023 (SB 221) appropriately balances the need for safety of judges and their families with the need for judicial transparency. We likewise explained that the State of Maryland has safeguards in place to monitor and regulate, including the Judicial Ethics Committee and the Maryland Commission on Judicial Disabilities. To read the full commentary, please visit Judges must be kept safe (baltimoresun.com).

## **FBA Maryland Chapter is Accepting Entries for its Annual Short Essay Contest for Maryland High School Students**

The Maryland Chapter of the Federal Bar Association is now accepting entries for its annual short essay contest for high school students. This year's essay topic is: "Identify someone who promotes and cultivates diversity, equity, and inclusion in your community or school, and explain how that person has impacted or inspired you." The contest is open to high school students enrolled in public, private, parochial and charter schools and home-schooled students of equivalent grade status (grades 9-12) in Maryland. Essays must be submitted online at [email protected]. Entries will be accepted through 11:59 p.m. Eastern Time on March 28, 2024. A judging committee comprised of federal judges and FBA board members will decide on the top three essays submitted. Each student is limited to one (1) essay submission. Essays will be evaluated based on the following criterion: originality (30%); language arts skills (30%); faithfulness to the theme (30%); and clarity (10%). The first-place winner will have their essay published on the FBA MD website and in the FBA MD newsletter. Cash prizes will also be awarded as follows: First place: \$1,000; Second place: \$500; Third place: \$250. For the official rules, please see FBA MD Short Essay Contest.



## THE SHORT ESSAY CONTEST FOR MARYLAND HIGH SCHOOL STUDENTS

**Essay Topic:** Identify someone who promotes and cultivates diversity, equity, and inclusion in your community or school, and explain how that person has impacted or inspired you.

Submissions must be received at  
**FBAMaryland@gmail.com** by  
**March 28, 2024** at 11:59 E.S.T.

Contest rules available at [www.fbamd.org](http://www.fbamd.org)

**\$\$\$ Cash Prizes \$\$\$**

**First Place - \$1,000**  
**Second Place - \$500**  
**Third Place - \$250**

For questions email Jaime Luse  
at [jluse@tydings.com](mailto:jluse@tydings.com)



### Fireside Chat Held with Magistrate Judge Adam B. Abelson on January 24, 2024

The FBA Maryland Chapter kicked off 2024 with a continuation of our fireside chat series. Magistrate Judge Adam B. Abelson, who joined the court in Fall 2023, discussed his upbringing, his career prior to becoming a judge, and his various responsibilities as a magistrate judge. Judge Abelson spoke about how his grandmother, a first-generation American, instilled in him the importance of public service. Judge Abelson shared that he was inspired to go to law school after working alongside human rights lawyers in Chile. After law school and two federal clerkships, Judge Abelson joined Zuckerman Spaeder LLP, where he developed a varied and fulfilling practice.

Judge Abelson discussed the transition from advocate to judge and how he conceptualizes his new role. He praised the collegiality of the court and shared how his colleagues' "open door" policy has been invaluable as he continues to learn and grow. Judge Abelson broke down the "nuts and bolts" of serving as a magistrate judge, from mediating settlement conferences to resolving discovery disputes, and provided practice tips for litigants. We thank Judge Abelson for the illuminating and enjoyable chat.



### **Fireside Chat Held with Magistrate Judge Charles Austin on February 23, 2024**

In the most recent Fireside Chat Series, the Maryland Chapter of the Federal Bar Association hosted Magistrate Judge Charles Austin. Judge Austin, a Maryland native, shared his connections to Baltimore. His love of sports inspired him to pursue broadcast news and later led him to a career in journalism. Judge Austin spoke of his time working in television as a director and producer and the skills he gained in those roles.

Judge Austin reflected on his time in private practice and government service, including the importance of fulfilling his various roles with integrity and excellence. He shared his commitment to public service, the law, and his belief in the importance of treating all litigants with dignity and fairness. Judge Austin also shared advice for newer attorneys and practitioners. We're grateful to Judge Austin for sharing his time and thoughts with the Chapter.



# Congratulations to Maryland FBA Chapter President Maria Salacuse of the...

 [linkedin.com/posts/robert-brennen-5474a37\\_congratulations-to-maryland-fba-chapter-president-activity-7316895216043524096-mGz9](https://www.linkedin.com/posts/robert-brennen-5474a37_congratulations-to-maryland-fba-chapter-president-activity-7316895216043524096-mGz9)

Robert Brennen

April 12, 2025

Congratulations to Maryland FBA Chapter President Maria Salacuse of the EEOC and National Delegate Mark Saudek of Gallagher Evelius & Jones on a very successful Annual Luncheon. While the program was excellent, as always the highlight was the opportunity to come together and break bread with members of the bench and bar of the finest U.S. District Court in the Country. Seen here are Immediate Past Chapter President Ezra Gollogly of Kramon & Graham and the Immediate Past Immediate Past Chapter President.



 -  [61 2 Comments](#)

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Exhibit 201

# **Swearing-In of Brendan A. Hurson as United States District Judge**

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 [mdd.uscourts.gov/news/swearing-brendan-hurson-united-states-district-judge-2023-10-11t000000](https://mdd.uscourts.gov/news/swearing-brendan-hurson-united-states-district-judge-2023-10-11t000000)

Wednesday, October 11, 2023

During a private ceremony held this morning, Brendan Abell Hurson was sworn in as a United States District Judge for the District of Maryland. Judge Hurson previously served as a United States Magistrate Judge in the District of Maryland since February 2022. Prior to his appointment as a United States Magistrate Judge, Judge Hurson worked in private practice and served as an Assistant Federal Public Defender for 15 years in both the District of Maryland and the District of the Virgin Islands. Judge Hurson received his undergraduate degree from Providence College and his law degree from the University of Maryland School of Law. Following law school, Judge Hurson clerked for the Honorable Margaret B. Seymour of the United States District Court for the District of South Carolina.

The President nominated Judge Hurson on March 21, 2023, to fill the vacancy created when the Honorable George J. Hazel resigned as a United States District Judge. The Senate confirmed Judge Hurson's nomination on October 4, 2023, and President Biden signed his commission on October 6, 2023. Judge Hurson will be assigned to the United States Courthouse in Baltimore.